

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

	X	
	:	Case No.: 4:20-cv-1186-JAR
TIMOTHY MILES, on behalf of himself and	:	
others similarly situated,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
MEDICREDIT, INC.,	:	
	:	
Defendant.	:	
	:	
	X	

**PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Timothy Miles (“Plaintiff”), with the consent of Medicredit, Inc. (“Defendant”), respectfully moves this Court under Rule 23(e) for preliminary approval of the parties’ class action settlement. In support of his motion, Plaintiff states:

1. After nearly two years of contested litigation, which included extensive motion practice, written discovery, and depositions—and with the assistance of a seasoned mediator—the parties reached an agreement on behalf of a nationwide settlement class under the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227.¹

2. To that end, Defendant will create a non-reversionary, \$1.95 million settlement fund for the benefit of the following class: “All persons in the United States who (a) received a call from Medicredit, Inc. between December 16, 2017 and July 7, 2022 on their cellular telephone,

¹ The settlement agreement and its exhibits—including proposed class notices, a proposed preliminary approval order, and a proposed final approval order and judgment—are appended to the Declaration of Michael L. Greenwald, which is attached as Exhibit A to Plaintiff’s memorandum of law in support of this motion.

(b) with an artificial or prerecorded voice, (c) for which Mediacredit, Inc.’s records contain a ‘WN’ designation and an ‘MC’ and/or ‘MD’ notation.” The settlement will provide meaningful cash benefits to participating class members.

3. Because the settlement class satisfies the requirements for class certification under Rule 23, this Court should certify this matter as a class action for settlement purposes.

4. In addition, because the proposed settlement is fair, reasonable, adequate, and in the best interest of settlement class members, this Court should preliminarily approve it and authorize the dissemination of notice to potential class members.

5. Accordingly, Plaintiff and his counsel respectfully request that this Court enter the accompanying agreed order granting preliminary approval of the parties’ settlement.

6. Pursuant to E.D. Mo. L.R. 4.01, Plaintiff also submits and incorporates by reference his memorandum of law in support of his unopposed motion for preliminary approval of class action settlement.

Dated: August 19, 2022

/s/ Michael L. Greenwald
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